



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board



Arnold Schwarzenegger
Governor

Division of Financial Assistance

1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(916) 341-5760 FAX (916) 341-5806 • www.waterboards.ca.gov/cvphome/ustcf

August 2, 2006

Community Development Corporation of Oakland
Larry Taylor
5636 Shattuck Avenue
Oakland, CA 94609

ORPHAN SITE CLEANUP ACCOUNT, REQUEST FOR FURTHER DOCUMENTATION
FOR APPLICATION NUMBER: B0034
FOR SITE ADDRESS: 3701 MARTIN LUTHER KING JR. WAY, OAKLAND, CA (09)

After reviewing your grant application to the Orphan Site Cleanup Account (OSCA) for the site located at 3701 Martin Luther King Jr. Way, Oakland, we find that the following additional information is needed to determine your eligibility for placement on the OSCA Priority List:

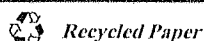
REGULATORY CONFIRMATION OF A PETROLEUM UNDERGROUND STORAGE TANK (UST) RELEASE AND DIRECTIVE

Health and Safety Code section 25299.50.2 authorizes the use of OSCA funds at sites that meet certain criteria. The State Water Resources Control Board (State Water Board) adopted regulations that implement section 25299.50.2. These regulations became effective on July 25, 2006 and are found at Title 23 of the California Code of Regulations, Division 3, Chapter 18, Article 7 (OSCA regulations).

To receive OSCA funds, an applicant must demonstrate, among other things, that the regulatory agency responsible for overseeing response actions at the eligible site directs or approves response actions subject to an unauthorized release of petroleum from a UST or response actions are required as part of the site development process. Response actions taken must be necessary to protect human health, safety and the environment and are performed in accordance with applicable laws, including Health and Safety Code, division 20, chapter 6.7 and California Code of Regulations, title 23, division 3, chapter 16, and Water Code, division 7.

1. Provide documentation (a copy of the Unauthorized Leak Release Report filed with the local regulatory agency) of a confirmed petroleum UST release.
2. Provide documentation that the regulatory agency is directing or approving response actions or that response actions taken are part of the site development process.

California Environmental Protection Agency



August 2, 2006

NOTE: Failure to respond to this request within thirty (30) calendar days from the date of this letter may result in an ineligibility determination of your grant application.

If you have any questions, please contact me at (916) 341-5760.

Sincerely,



Judy Reid
Orphan Site Cleanup Account
Special Programs Unit

cc: ✓ Leroy Griffin
Oakland Fire Department
Fire Prevention/Hazardous Materials
250 Frank Ogawa Plaza, Suite 3341
Oakland, CA 94612

Joseph Cotton
Impact Environmental
39120 Argonaut Way, Suite 223
Fremont, CA 94538



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Leroy Griffin
Oakland Fire Department
Fire Prevention/Hazardous Materials
250 Frank Ogawa Plaza, Suite 3341
Oakland, CA 94612

August 2, 2006

NOTIFICATION OF RECEIPT OF ORPHAN SITE CLEANUP ACCOUNT APPLICATION,
FILE NUMBER: B0034
FOR SITE ADDRESS: 3701 MARTIN LUTHER KING JR. WAY, OAKLAND, CA (09)

The State Water Resources Control Board (State Water Board), Division of Financial Assistance has received an application for the Orphan Site Cleanup Account (OSCA) from Community Development Corporation of Oakland for 3701 Martin Luther King Jr. Way, Oakland. This application has been assigned file number B0034. Please provide this number when making any inquiries regarding this application.

The City of Oakland Fire Department (Agency) has been identified by the applicant as the Lead Regulatory Agency to oversee the cleanup of contaminated soil and groundwater from leaking underground storage tanks at the subject site. As the identified Lead Regulatory Agency, you will receive copies of all correspondence sent to the applicant from the OSCA Program.

During our review process, OSCA Program staff will contact you either by telephone or an e-mail questionnaire to verify applicant information. Once the application review is complete, the applicant will receive either an acceptance or rejection letter. Accepted applications will be placed on the OSCA Priority List in accordance with Section 2814.29 of the OSCA Regulations, Title 23, Division 3, Chapter 18, Article 7 of the California Code of Regulations.

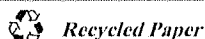
The OSCA program was created to encourage the cleanup of "brownfield" petroleum underground storage tank contaminated sites where there is no financially responsible party. These sites represent a special problem because they prevent and delay community redevelopment. Due to statutory time limitations the State Water Board will encourage expeditious site assessment and cleanup of approved OSCA projects. Your assistance is requested to help move OSCA funded projects forward toward site cleanup. OSCA Program staff looks forward to working with you on the above project.

If you have questions, please contact me at (916) 341-5760.

Sincerely,

Judy Reid
Orphan Site Cleanup Account
Special Programs Unit

California Environmental Protection Agency





Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

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Arnold Schwarzenegger
Governor

December 15, 2006

Community Development Corporation of Oakland
Larry Taylor
5636 Shattuck Avenue
Oakland, CA 94609

ORPHAN SITE CLEANUP ACCOUNT (OSCA) PROGRAM, ASSESSMENT GRANT
AGREEMENT NUMBER: 06-052-550 FOR OSCA APPLICATION: B0034
FOR SITE ADDRESS: 3701 MARTIN LUTHER KING JR. WAY, OAKLAND, CA (09)

The State Water Resources Control Board (SWRCB) is able to issue, pursuant to applicable statutes and State Board Resolution 2006-0019, the enclosed OSCA Assessment Grant Agreement Number 06-052-550 for 3701 Martin Luther King Jr. Way, Oakland, CA in an amount not to exceed \$347,164. The Grant dollar amount is based upon our review and approval of the scope of work and budget in your Grant Agreement to perform response actions. The dollar amount of the Grant may be modified by the SWRCB. Grantee may submit invoices for response actions identified and performed since January 1, 2005 in the Assessment Grant Agreement.

Enclosed are documents needed to prepare and submit reimbursement requests:

OSCA Reimbursement Request (RR) Instructions and Checklist

Grantee must follow the RR Instructions when seeking reimbursement for OSCA response action costs. A RR Checklist is provided to help grantees submit complete RR packages.

OSCA RR Forms

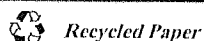
Use the enclosed RR forms to request reimbursement of costs incurred. The OSCA Grantee representative must sign all RR forms. Grantees may request additional RR forms at any time.

OSCA Grant Invoice Spreadsheet

Grantee must complete the OSCA Grant Invoice Spreadsheet by listing all invoices submitted with an RR.

OSCA staff will continuously review the status of your claim. If grantee does not move forward with assessment within six months from the date of this letter, the grant funds may be disencumbered.

California Environmental Protection Agency



Community Development
Corporation of Oakland
Grant Number: 06-052-550

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During the term of this agreement, the Grantee shall submit by the 15th of the month following the quarterly reporting period (March, July, September, December), a written quarterly progress report to Grant Manager, Judy Reid.

If you have any questions regarding the enclosed documents, please contact Judy Reid at (916) 341-5760.

Sincerely,



Judy Reid
Grant Manager
Orphan Site Cleanup Account
Special Programs Unit

Enclosures

cc: ✓ Leroy Griffin
Oakland Fire Department
Fire Prevention/Hazardous Materials
250 Frank Ogawa Plaza, Suite 3341
Oakland, CA 94612

Regional Water Quality Control Board
San Francisco Bay Region
Chuck Headlee
1515 Clay Street, # 1400
Oakland, CA 94612

Joseph Cotton
Impact Environmental
39120 Argonaut Way, Suite 223
Fremont, CA 94583